

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 310 of 2019

- Nehru Sahu S/o Late Geeta Ram Sahu, Aged About 39 Years, R/o Ward No.9 in front of Bus Stand, P.S. Sargaon District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through Police Station Sargaon District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

----Non-applicant

For Applicants – Shri F.S. Khare, Advocate.

For Non-applicant/State – Shri Rahim Ubwani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-03-2019

1. Apprehending arrest in connection with Crime No.07/2019, registered at Police Station – Sargaon, District Mungeli, Chhattisgarh for offence punishable under Section 354(A), (D) of the IPC & Section 8 of POCSO Act, the applicant has preferred this application for grant of anticipatory bail.

2. It is submitted on behalf of the applicant that the applicants has been falsely implicated in this case. The applicant is presently working as Secretary, Gram Panchayat Chunchuniya. The complainant in this case has made totally false allegation against this applicant. The applicant is President of Jila Karate Sangh at Mungeli which is recognized from the State Karate Sangh and he is organizing various training programmes for women, school girls and also for employees to the police department. The applicant and the victim both had family relation regarding which call details have been produced. Hence, no case is made out against him. Therefore, it is prayed that this applicant may be benefited with grant of anticipatory bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that according to the FIR lodged and the statement given by the

victim, no case is made out for grant of anticipatory bail.

4. Heard learned counsel for the parties and perused the case diary.

5. Complainant Mahavir Dubey filed a complaint on 09-01-2019 alleging that because of indecent behaviour of the applicant he was compelled to stop the education of his only daughter and has prayed for necessary action. The victim was examined under Section 161 of the Cr.P.C. in which she has stated that on the date of the incident the applicant came to her house and made indecent gesture calling her and when she came out of her house he caught hold of her and tried to hug her. Later on, the applicant used to continuously follow her and made indecent gestures for her, which appears to be obscene.

6. After considering on the material present in the case diary, I am of this opinion that it is not a fit case for grant of anticipatory bail to the applicant.

7. Consequently, the application filed by the applicants under Section 438 of the Cr.P.C. for grant of anticipatory bail is rejected. However, the concerned Court is directed to consider and decide the regular bail application of this applicant preferably on the same day on which he surrenders before the said Court, if practicable.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge